IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 964 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GHANCHI ABDULBHAI JAMALBHAI

Versus

HASANBHAI JAMALBHAI -DECD. THRO'HEIRS AND L.R.

Appearance:

1. Civil Revision Application No. 964 of 1997

MR JITENDRA M PATEL for Petitioner No. 1-6

..... for Respondent No. 1

MR MI PATEL for Respondent No. 1/1-1/7

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 10/03/2004

ORAL JUDGEMENT

The petitioners are the original defendants of Regular Civil Suit No.111/19995. In the aforesaid suit,

the original plaintiff submitted an application for interim injunction, which was rejected. Against said order, the respondents herein, who were the original plaintiffs, preferred an appeal being Misc.Civil Appeal No.10/1996. The appellate Court allowed the said appeal and granted injunction in favour of the original plaintiffs. Against the said order, this revision application is preferred.

2) So far as the order in question is concerned, the same is interlocutory in nature. As this revision is filed against an interlocutory order in view of the amendment in Section 115 of C.P.C. the same is not maintainable. Therefore, This Civil Revision Application is disposed of. Rule is discharged. No order as to costs. It will be open for the petitioner to challenge the impugned order by filing a petition under Article 227 of the Constitution of India.

(P.B.Majmudar,J.)

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